

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Tyrice Hill,**

Plaintiff,

v.

**Annette Chambers-Smith, et al.,**

Defendants.

**Case No: 2:22-cv-3742**

Judge Graham

Magistrate Judge Gentry

**ORDER**

This matter is before the court on the Magistrate Judge's July 21, 2023 Report and Recommendation (ECF No. 12), which recommended this Court dismiss all of Plaintiff's claims against Defendants Kinker, Diehl, and Riehle, and dismiss Plaintiff's request for monetary damages against Chambers-Smith in her official capacity. No objections have been filed.

As detailed in the Report and Recommendation, the Plaintiff has not asserted a § 1983 claim against Defendants Kinker, Diehl, and Riehle because a Plaintiff may not base a suit against individual Defendants on the denial of an administrative grievance and there is no other plausible claim asserted against these Defendants. Additionally, Chambers-Smith cannot be held liable for monetary damages in her official capacity because claims for monetary damages against state officials sued in their official capacities are barred by the Eleventh Amendment.

Accordingly, the Court adopts the Magistrate Judge's Report and Recommendation. (ECF No. 12). Plaintiff's claims against Defendants Kinker, Diehl, and Riehle are **DISMISSED**. Plaintiff's request for monetary damages against Chambers-Smith in her official capacity is **DISMISSED**.

DATE: September 15, 2023

s/ James L. Graham  
JAMES L. GRAHAM  
United States District Judge